App. F. IX-4

1918.

File No. 38-18

Previous References (Loose)

Serial Nos. 1—3

Later References

W 97898

General and Revenue Secretariat.

Serial Nos. Nine

A collection

Manuscript Part I for July 1919

SUBJECT

Termination of the present war (definition) Regulation.

Manuscript Copy
28-9-19

1918

File No 38-1918

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

PROCEEDINGS OF THE GENERAL and REVENUE SECRETARIAT.

For July 1918.

Judicial and Legislative(Legislation).

"A" Collection. Serial No 1-3.

Termination of the present War (Definition) Regulation.

Table of contents

Serial No	Number and date of letter and contents	Page in A Proceedings
1.	To the First Assistant to the Resident in Mysore. No Pol 59 dated 16-7-19. States that the Durbar propose to enact a Regulation in Mysore on the lines of the Termination of the Present War (Definition) Act V of 1919 of British India and that in view of the ~~urgency~~ nature of of the measure and its urgency it is proposed to enact the Regulation almost immedialtely into law.	
2.	To the Compiler, Mysore Gazette. No G 1342 dated 17-7-19. Orders the Publication of the Regulation as Regulation No IX of 1919.	
3.	From the First Assistant to the Resident in Mysore. No 5878 dated 28-7-19. States that the Resident sees no prima facie objection to the Bill being passed into law.	

T V R.

G. R. S. III—1

1918

GENERAL AND REVENUE SECRETARIAT.

Legis

NOTES.

File No. 38-18

FILE HEADING.

Termination of the present war (definition) Regulation.

From

No. Dated Received

Diary No. Enclos. Spare Copies. Serial No.

BRIEF ABSTRACT OF LETTER.

NOTES AND ORDERS.

NOTES—First Sheet.

W D 1881—GPB—30,000—16-21

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

1) The following Acts in connection with the War have been passed by the Govt. of India :-

I (1) The Termination of the Present War (Definition) Act V of 1919

II (2) The Indian Defence Force (Amendment) Act VII of 1919.

2 This may be referred to the legislature section for such action as may be considered in this State

3) For favour of necessary action

10/4/19

(Chief Sec. Legis.)

A V Allo 10-4-19

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

G. R. S. III-2.

General and Revenue Secretariat. | Legis File No. 38 of 1918.

Serial No.

I

4) The Regulations passed in Mysore whose cessation depends on the termination of the War are :—

X

D	1. The Mysore Naval & Military News (Emergency) Regulation, VII of 1914.	To be in force during the continuance of the present war and for a period of six months thereafter; Please see Sec 2 of the Emergency Legislation Continuance Regulation, II of 1915.
E	2. The Mysore Foreigners (Emergency) Regulation, X of 1914.	
F	3. The Ingress into Mysore (Emergency) Regulation XI of 1914.	
G	4 The Commercial Intercourse with Enemies (Emergency) Regulation, XII of 1914	
V	5. The Enemy Trading Regulation, II of 1917.	To be enforced as long as the Act is in force in Br India, ie, during the Continuance of the War & for a period of Six months thereafter
W	6. The Defence of India Regulation, I of 1918.	—do—

5) Orders are solicited as to whether a draft Bill on the lines of the Act V of 1919 has to be prepared for being passed here, for the purpose of determining the date of the termination of the War.

II

6) As a Regulation similar to the Indian Defence Force Act (III of 1917) has not been passed in

NOTE—Contn. sheet

G. R. S. III-2.

1177 43

General and Revenue Secretariat. | Legs File No. 38 of 1918

1177 Serial No.

Mysore, no action is necessary in respect of the Amending Act VII of 1919.

Subd for orders

Asst. 15/5 16.

1) I think it is necessary to prepare a Dft. Bill on the lines of Act V of 1919 as the exact date of the termination of the war has to be determined by the Legislature to prevent the same question being raised by parties in courts the decisions of which may vary.

2) If appd a Dft. Bill will be prepd

Subd for orders

P. Mahadevaraya M. 24/5.

1691/24.5.19

I Member

3) Yes, please.

H. S. Chandrasekhara Iyer 28/5/19

4) Move ante upon draft Bill

P. Mahadevaraya M. 29/5.

1972/16.6.19

5) Subd with Dft Bill & draft letter.

Asst. 5/6

I Member

6) Subd for appn

P. Mahadevaraya M. 6/6

7) Please revise drafts indicated & resubmit.

H. S. Chandrasekhara Iyer

D. M. 19/6

NOTE—Contn. sheet

G. R. S. III-2.

1177 H 5

General and Revenue Secretariat. | Legn File No. 38 of 1918.

Serial No

13) Send with a revised draft Bill as directed.

14) Ask for consideration whether, in view of the possibility of the Peace Treaty being signed shortly, steps have to be taken to pass the Bill as an Emergency Regulation in the first instance.

Ans 25/6

15) The latest telegrams seem to indicate the early signature of Peace. It naturally takes some time for the Bill to be passed through the Reg^n Cl in the usual course. Hence it seems desirable to pass the Bill as an Emergency Reg^n under s. 15 of the Leg: Cl: Reg^n.

Send for orders

P Malaviya 25/6/18

2172 21.6.18

16) No An Emergency Regulation will have to be revised, or replaced by a regular Act as early as possible after promulgation.

17) The proposed Bill may be "specially reserved by H.H. the Maharaja" under clause (i) of Sec. 126, if it does not sink into disuse under cl. (b), and promulgated with the assent of His Highness under Sec. 14, of the Legislative Regln

NOTE—Contn. sheet

G. R. S. III-2]

General and Revenue Secretariat.

Legi File No. 38 of 1918.

1917) 65

Serial No.

18) The Residency may be informed that Govt. are proceeding the Bill almost immediately.

19) The matter is urgent, & may, if the Dewan agrees, be disposed of by circulation.

20) A D.F.N. has been put up in anticipation

K S. Chandrasekhara Iyer 28/6/19

Dewan

DEWAN'S OFFICE.
Recd. on JUN 28 1919
Reg. No. 8316

21) I agree. may be put up by circulation

A R Ayangar
30 6

22) Circulate.

Sivalasundaram Iyer
27. 23) Lapse.

Mir Hamza Hussain
2/7

24) I agree

Rao Bahadur Ramachandra Rao
10.7.19

25) D. S. N. Subn. —

Dewan 7/3

Sivalasundaram Iyer
12/7/19.

NOTE—Contn. sheet.

16

Final Note by the First Member of Council.

Subject:—

TERMINATION OF THE PRESENT WAR (DEFINITION) BILL.

2) In order to make provision to determine the date of the termination of the present war, and for purposes connected therewith, the Government of India have passed the Termination of the Present War (Definition) Act V of 1919.

D, E, F, G, V, W 2) 2. As some of the Regulations passed in the State in connection with the War are due to expire at the end of six months from its termination, and as the date of such termination will have to be fixed for this purpose as well as to prevent the question being raised by parties in Courts, it is necessary to enact for Mysore a set of provisions on the lines of the said Act as in the draft Bill annexed.

28) 3. It is needless to place the Bill before the Legislative Council, as its provisions seem to fall under clause (b) of the proviso to section 12 (2) of the Legislative Council Regulation;. and in any case, the subject matter is one which may " be specially reserved by His Highness the Maharaja for consideration by Government" under clause (i). The Regulation, when assented to by His Highness under section 14, will have the force of law.

29) 4. The Hon'ble the Resident will be informed that in view of the nature of the measure and its urgency it is proposed to enact the Regulation almost immediately into law under section 14 of the Mysore Legislative Council Regulation.

pages 4 & 5 of office notes 30) 5. The matter has been considered by the Members of

Government

Government, and they have agreed to the above proposal.

MEMBER OF COUNCIL.

Bangalore.

12th July 1919.

Submitted to His Highness.

I submit herewith a Final Note by the First Member of Council on the ~~subject of~~ "Termination of the Present War (Definition) Bill" for His Highness' gracious approval.

Dewan

13.7.19

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

"Termination of the Present War (Definition) Bill."

103.

32) *Order.*

~~KRW~~.

14/7/19

C. Ley

Leech.

15.7.19.

General and Revenue Secretariat.

Legis File No. 38 of 1918.

Serial No.

33) Subd with a draft G.O publishing the Regulation as Regulation no IX of 1919. Since it is late for publishing the Regulation in this week's Gazette, it is for orders if it may not be published in a Gazette Extraordinary.

The Chief Secy said that this is not necessary

Asst 16/7

34) The draft letter to Residency already approved is under issue separately.

Asst 16/7

G. B. Hebbichar 16.7.19
Chief Secy

35) Issue as proposed under sec 4 of 16/7.

1. 2

The H. H. Resident's no. 59 of 16.7.19 states that the Govt propose to enact a Regulation in Mysore on the lines of the Termination of the present War (definition) Act-X of 1915 British India and that, in view of the nature of the measure and its urgency, it is proposed to enact the Regulation almost immediately into Law under Sec 14 of the Mysore Legislature Regulation.

2

2 The Compiler Mysore sent it

NOTE—Contn. sheet.

1717 12.11.

G. R. S. III-2]

General and Revenue Secretariat. | Legis File No. 38 of 1918.

Serial No. 2

Notification No. 1342 & 17.7.15 published the termination of the present war (definition) as Regulation no V

This order have not been perused by the members of Council. To the Confidential Asst for necessary action

ASR 21/7 circulate to members

CSR 29/7

C.S. 1/8

NOTE—Contn. sheet.

G. R. S. III–2]

13

C. 10

General and Revenue Secretariat.

Legis File No. of 191 .

Serial No.

(*) &

31. All urgent or confidential files returned with His Highness' orders may, in the absence of instructions or indications to the contrary, be ordinarily circulated to the Members of Council for perusal after the issue of orders.

33. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after to the Chief Secretary for circulation to the Members.

34. In all other cases, the files will first be circulated to the Members of Council at headquarters and then sent to the Secretariat concerned for the issue of orders.

Circulated to the Members of Council for perusal of (*)

His Highness orders ~~before~~ after issue of orders. (*Vide* Rules 31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure).

Issue of mice

CS Balasubramaniam
Chief Secretary to Govt.

Through the Secretary to Government,

....Department.

FIRST MEMBER OF COUNCIL

SECOND MEMBER OF COUNCIL

~~TEMPORARY~~ MEMBER OF COUNCIL.

NOTE.—Contn. sheet.

G. R. S. III-2]

1117 No 3 5855 14

General and Revenue Secretariat. | Legs File No. 38 of 1918.

Serial No.	
3	From The D. A. Resident- No 5878 of 28-7-19. States that the Resident has no personal objection to the Bill being passed into law. Spare copies of the Regn have been received. Sorted with two drafts one with Regn & the other to be sent Judly. Dept. Foreign's dominion forwarding the usual no of Copies Sby 7/8/19 Ag 8/8 James P. 7/8/19
3	The J. A. R. 2188 of 21.8.19 forwards 9 copies of the Regulation
4	The Secy to Govt Genl No 4456 of 22 8 19 forwards 2 Copies of the Regulation.
5.	From The Secy to Govt. Genl. Judl. Dept No 3663 of 23-9-19 Acknowledges receipt of 2 copies of Regn. No IX of 1919. Sorted. for perusal 30/9/19 Ag 4/10 D. M. 1/10

After issue copies required for the Secretariat & Library

One copy sent to Mr. Justice Phillips

25/7

NOTE—Contn. sheet.

Regulation II of 1919.)

TERMINATION OF THE PRESENT WAR (DEFINITION) ~~BILL~~ Regulation

(Received the assent of H.H the Maharaja under Section 14 of the Mysore Legislative Council Regulation 1907, on the 14th day of July 1919)

Whereas it is expedient to make provision to determine the date of the termination of the present war and for purposes connected therewith; His Highness the Maharaja is pleased to - enact as follows:-

Short Title.

1. This Regulation may be called the Termination of the Present War(definition) Regulation, 1919.

Date of Termination of Present War to be such as may be declared by His Majesty in Council.

2. For the purposes of any provision in any enactment, or in any notification or rule issued or made thereunder and, except when the context otherwise requires, of any provision in any contract, deed or other instrument referring, expressly or impliedly, and in whatever form of words, to the present war or the present hostilities,

(i) the present war shall be - treated as having continued to and as having ended on such date as His Majesty in Council may declare in that behalf in pursuance of the provisions of the Termination of the Present War (Definition) Act 1918, and

8 and 9 George V. C.59.

(ii) the date of the termination of war between His Majesty and any particular State shall be the date similarly declared under Sub-Sec 3 of Section 1 of the said Act.

G. R. S. VI.—8-III/14]

DRAFT.

SUBJECT..... Publishes the Termination of the Present War (Definition) Regulation as Regulation No IX of 1919.....

Section. Legs
File No. 38/18
Serial No. 2

Proceedings of the Government of H. H. the Maharaja of Mysore.

Diary No. of letter replied to.....

Order No. G 1842/8 dt 17-7-19

GENERAL AND REVENUE SECRETARIAT,

( )

, *the*.....*191* .

Ordered that the accompanying Regulation (Termination of the Present War (Definition) Regulation which received the assent of His Highness the Maharaja, on the 14th day of July 1919, be published as Regulation No. IX of 1919, in the *Mysore Gazette* for general information.

Date of issue..... 17/7/19.

Signed by..... H. G 1842

May this be—

(i) Printed?

(ii) Treated as a standing order?

(iii) Published in the "Gazette" English part?

(iv) Translated?

(v) Placed at the disposal of the Press?

(vi) Published in the "Gazette" Kannada part?

USS 16/7

Chief *Secretary to Government.*

To

The Compiler, *Mysore Gazette*, for publication in Part III of the Gazette, in English and Kannada and for supply of 50 spare copies in English, and 25 spare copies in Kannada to this office, and 100 spare copies in English and 50 spare copies in Kannada to the Curator, Government Central Book Depot, Bangalore. Proofs should be sent to this office for approval before publication.

Asst 16/7

Copy to Translation Section

9

REGULATION IX OF 1919.

(Received the assent of His Highness the Maharaja under Section 14 of the Mysore Legislative Council Regulation, 1907, on the 14th day of July 1919.)

Termination of the Present War (Definition) Regulation.

WHEREAS it is expedient to make provision to determine the date of the termination of the present war and for purposes connected therewith; His Highness the Maharaja is pleased to enact as follows:—

Short Title.

1. This Regulation may be called the Termination of the Present War (Definition) Regulation, 1919.

Date of termination of present war to be such as may be declared by His Majesty in Council.

2. For the purposes of any provision in any enactment, or in any notification or rule issued or made thereunder and, except when the context otherwise requires, of any provision in any contract, deed or other instrument referring expressly or impliedly, and in whatever form of words, to the present war or the present hostilities,

(1) the present war shall be treated as having continued to and as having ended on such date as His Majesty in Council may declare in that behalf in pursuance of the provisions of the Termination of the Present War (Definition) Act, 1918, and, 8 & 9 Georg V. C. 59.

(2) the date of the termination of war between His Majesty and any particular State shall be the date similarly declared under sub-section (3) of section 1 of the said Act.

Price Four Pies.

the notes must be copied, or slips pasted on this form.

15.

G. R. S. VI—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to .....

GENERAL AND REVENUE SECRETARIAT

( )

,,the *191* .

Date of issue 16 July 19

Signed by Mr. C. S. B. Iyer

Section Legs
File No. 38-18 /
Serial No. 1

No. Pol 59 Encl 1
dy 16-7-19

To

The First Asst to the Hon'ble
the Resident in Mysore

Sir,

I am directed to state that in order to make provision to determine the date of the termination of the present War and for purposes connected therewith, the Durbar propose to enact a Regulation in Mysore on the lines of the Termination of the Present War (Definition) Act, V of 1919, of British India. A copy of the

over.

16

Bill prepared accordingly is enclosed

2. In view of the nature of the measure and its urgency, it is proposed to treat it as a matter specially reserved under clause (i) of the proviso to Sec 12(2) of the Mysore Legislative Council Regn, and enact the Bill almost immediately into law under Sec. 14 of that Regn.

28.8.29

Yours &c

Chief Secretary

Apl 28/8

List of enclosures.

Enclosure-1

Apl 16/9

Copied by

Examined by.

WD 1741—GPB- 30,000—19-3-19

Pol 151

R. O. 2.—R. P. B.—2-1919.—2,000.

No. 5878

2033

From

C. T. C. PLOWDEN,
MAJOR E. H. S. JAMES, I.A.

FIRST ASSISTANT TO THE RESIDENT IN MYSORE.

To

The Chief Secretary to the Government of
His Highness the Maharaja of Mysore.

RECEIVED
10 JUL 1919

Dated Bangalore, 28th July 1919.

SIR,

With reference to your letter No. Pol.59, dated the 16th July 1919, forwarding a copy of the Termination of the Present War (Definition) Bill, I am directed to say that the Resident sees no prima facie objection to the Bill being passed into law.

I have the honour to be,
Sir,
Your most obedient servant,

First Assistant Resident.

I.S.

G. R. S. VI.—S-III/16]

DRAFT.

SUBJECT.....

.....

.....

Section. Legl
File No. 38-18
Serial No. 3

Diary No. of letter replied to.....

No. Pol 218 Fuel 9

To

The First Assistant to the Hon'ble
the Resident in Mysore.

GENERAL AND REVENUE SECRETARIAT,
( )
, the.....*191* .

Date of issue 21st August 19

Signed by Mr. C. S. B. Iyer

SIR,

I am directed to forward herewith 9 copies of the Termination of the present war (Defence Regn 1915 (No IX of 1915) which received the assent of His Highness the Maharaja on the 14th day of July 1919

.....

I have etc.,

for Chief Secretary to Government.

Am 28

2 drafts

G. R. S. VI—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

GENERAL AND REVENUE SECRETARIAT

(

, *the* *191*

Date of issue..... 22/8/29

Signed by.....

Section Legs'
File No. 38-28
Serial No. 4

No. 4456 (2)

To

The Secy to the Govt of
H.E.H. the Nizam
~~Judicial Dept~~
Judicial Dept.
Hyderabad (Deccan)

Sir

I am directed to forward herewith 2 copies of Regn No IX of 1929

I have etc.

P.N.
13/8
For chief Secy to Govt.

8/9/29
A.G.

over.

GPH—1881—26-8-18—1,500.

HIS EXALTED HIGHNESS THE NIZAM'S GOVERNMENT,

No. 3663 *Hyderabad-Deccan, Dated* 23-[illegible] 191[illegible].

Diary No. 5665

FROM

THE SECRETARY TO GOVERNMENT,

DEPARTMENT. JUDICIAL, POLICE AND GENERAL DEPARTMENTS.

To

The Chief Secretary to the Government of

ENCLOSURES. H.H. the Maharaja of Mysore.

SIR,

I have the honor to acknowledge with thanks the receipt of 2 copies of Regulation No. IX of 1919 forwarded under cover of your No. G 4455 dated the 22nd August 1919.

I have the honor to be,

Sir,

Your most obedient servant,

Assistant Secretary.

K.R.